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February 17, 2020

VIA ECF

Honorable Victor Marrero
United States District Court Judge
500 Pearl Street
New York, NY 10007

Re: *United States v. Torres et al*
S8 16 Cr 809 (VM)
Walston Owen

Hon. Marrero,

Defendant Walston Owen writes regarding the Court's proposed Jury Charge and respectfully submits the following:

1. We would respectfully join co-counsel for Randy Torres submission objecting to the broadening of Mr. Owen's sentencing to anything beyond that which is in the current indictment. Specifically, the Jury should not consider Mr. Owen regarding the alleged murder of Mr. Suazzo or any other charge that could increase Mr. Owen's sentence beyond that stated in the S8 indictment.
2. We join co-counsel for Charles Ventura as it relates to the *Circumstantial Evidence charge*, the *Co-defendant's Plea Agreement* and the *Witness Using or Addicted to Drugs charge*.

3. Finally, we do have several minor additions that we would like added to the instructions that we think we can resolve at the Conference tomorrow.¹

Sincerely,

/s/ Xavier R. Donaldson

Xavier R. Donaldson

¹ We sent these edits to the Government for its review and will have them available at tomorrow's conference.